

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 24, 2004

DIVISION ONE

B170068 People (Not for Publication)
v.
Chavez

The judgment is vacated and the cause is remanded with directions to the trial court to conduct an in camera hearing on defendant's discovery motion consistent with this opinion and applicable statutory provisions, making a record in accordance with the procedures set forth in *People v. Mooc* (2001) 26 Cal.4th 1216, 1227–1230. If the hearing reveals no discoverable information, the trial court shall reinstate the original judgment. If the in camera hearing reveals discoverable information, the trial court shall grant discovery, allow defendant an opportunity to demonstrate prejudice, and order a new trial if prejudice is demonstrated. If prejudice is not demonstrated, the trial court is to reinstate the original judgment. (*People v. Husted* (1999) 74 Cal.App.4th 410, 419–423.)

Mallano, J.

We concur: Ortega, Acting P.J.
Vogel (Miriam A.), J.

[illegible]

The judgment is affirmed.

Mallano, J.

We concur: Spencer, P.J.
Ortega, J.

May 24, 2004 (Continued)

DIVISION THREE

B169812 People (Not for Publication)
v.
Jones

The judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B170491 People (Not for Publication)
v.
Etienne

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B166871 Harrison (Not for Publication)
v.
Lambert

The judgment is affirmed. Respondent(s) to recover costs.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

May 24, 2004 (Continued)

DIVISION THREE (Continued)

B173217 Maria R. (Not for Publication)

v.

Superior Court, Los Angeles County
(Children and Family Services, r.p.i.)

The petition for extraordinary writ is denied.

Aldrich, J.

We concur: Klein, P.J.
 Croskey, J.

DIVISION FOUR

B163974 Jiagbogu (Certified for Publication)

v.

Mercedes-Benz USA

The judgment is affirmed. Respondent(s) to recover costs.

Epstein, Acting P.J.

We concur: Hastings, J.
 Curry, J.

B168577 People (Not for Publication)

v.

Siqueiros

The judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
 Curry, J.

May 24, 2004 (Continued)

DIVISION FOUR (Continued)

B165469 People (Not for Publication)
v.
Lindholm

The judgment is affirmed.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

B170782 Los Angeles County, D.C.S. (Not for Publication)
v.
Joyce Z.

The order denying the section 388 petition is affirmed, and the matter is remanded with directions that the juvenile court comply with ICWA notice requirements.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

DIVISION FIVE

B166670 People (Not for Publication)
v.
Payman Borhan

The amount of presentence credits is to be changed to 278 days which includes 35 days of conduct credit. The judgment is affirmed in all other respects.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

May 24, 2004 (Continued)

DIVISION FIVE (Continued)

B165747 David Verdiner (Not for Publication)
v.
The Pep Boys, etc., et al.

the judgment is reversed as to causes of actions one through five. The judgment is affirmed in all other respects. Upon issuance of the remittitur, the order sustaining the demurrer to causes of actions one through five is to be set aside and defendants are directed to answer the first amended complaint. Plaintiff, David Verdiner, shall recover his costs incurred on appeal jointly and severally from defendants, The Pep boys Manny Moe and Jack of California, doing business as Pep Boys, and The Pep Boys Manny Moe and Jack of Pennsylvania, doing business as Pep Boys.

Turner, P.J.

We concur: Armstrong, J.
Mosk, J.

DIVISION SIX

B169046 People (Not for Publication)
v.
Smith

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

May 24, 2004 (Continued)

DIVISION SIX (Continued)

B168917 People (Not for Publication)
v.
Begole

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
Coffee, J.

DIVISION SEVEN

B169999 People (Not for Publication)
v.
Williams

The judgment is affirmed.

Woods, J.

We concur: Perluss, P.J.
Zelon, J.

B160031 Hindin, et al. (Certified for Publication)
v.
Rust, et al.

The judgment is reversed and this matter is remanded to the trial court with instructions (1) to vacate the order granting State Farm's summary judgment motion on statute of limitations grounds and enter an order denying that motion, (2) to vacate the order granting State Farm's motion for summary adjudication of the restitution claim and enter an order denying that motion and (3) for further proceedings consistent with this opinion. The parties are to bear their own costs of appeal.

Woods, J.

We concur: Perluss, P.J.
Zelon, J.